IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(Crl.).No. 223 of 2007()

PETITIONER:

PRASANTH DAMODAR PARAKASH @ KANNAN,
S/O D. PRAKASH, AGED 24 YEARS,
PATTATHUVILLA HOUSE, KADAPPAKADA, KOLLAM.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS:
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1. DISTRICT SUPERINTENDENT OF POLICE,
KOLLAM.

2. SUB INSPECTOR OF POLICE,
EAST POLICE STATION, KOLLAM.

3. RADHAKRISHNAN KUMARAN,
SWATI, MUSALIAR NAGAR NO.73,
KOICKAL, KOLLAM.

4. SANDHYA RADHAKRISHNAN, AGED 42,
SWATI, MUSALIAR NAGAR NO.73,
KOICKAL, KOLLAM.

5. SUDHEER KRISHNANKUTTY,
FLAT NO.8C, SI PROPERTY,
OPP. WOMENS COLLEGE,
VAZHUTHACAUD, TRIVANDRUM.

6. USHA SUDHEER,
FLAT NO.8C, SI PROPERTY,
OPP: WOMENS COLLEGE,
VAZHUTHACAUD, TRIVANDRUM.

R1&2 BY G.P. SRI.V.K.BHASKARAN
R3 TO 6 BY ADV. SRI.M.K.DAMODARAN (SR.)
SRI.P.K.VIJAYAMOHANAN

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF RATION CARD ISSUED ON 28.3.1993.

P1(a): .DO. IN 2000.

P1(b): .DO. IN 2005.

P1(c): TRUE COPY OF BIRTH CERTIFICATE ISSUED ON 27.5.1987.

P2: TRUE COPY OF PUBLIC NOTICE ISSUED BY PETITIONER'S FATHER THROUGH THE KERALA KAUMUDI DAILY DT.14.9.2007.

P3: TRUE COPY OF COMPLAINT DT.5.9.2007 FILED BY PETITIONER'S FATHER BEFORE R2.

P4: TRUE COPY OF FIR IN CRIME NO.962/07 OF KOLLAM EAST POLICE STATION.

TRUE COPY

PA TO JUDGE

P.R.RAMAN &
V.K.MOHANAN, JJ.

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W.P.(Crl.) No.223 of 2007

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Dated this the 1st day of October, 2007.

JUDGMENT

Raman, J.

This is a petition of Habeas Corpus seeking direction to respondents 1 and 2 to produce the body of Smt.Thankamma Damodaran, Pattathuvila House, Kollam, alleging that she is under illegal custody of respondents 3 to 6. Pursuant to the notice issued to the alleged detenu, Smt.Thankamma Damodaran appeared before us. We interacted with her. She has stated that she is not under illegal custody of anybody as alleged and she is residing in the tarwad house alone assisted by a girl and that she used to visit her relatives' house occasionally. She does not know why the petitioner has made such an allegation. However, we are satisfied from the interaction with her that she is not under illegal custody and what she has stated before us is of her free will and volition. In the circumstances, there

is no scope for continuing the proceedings. This Writ Petition is closed and Smt.Thankamma Damodaran is set free.

P.R.RAMAN
Judge

V.K.MOHANAN
Judge

pms